

EXHIBIT 10

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALICIA HERNANDEZ et al.,)
individually and on behalf of)
all others similarly situated,)
)
Plaintiffs,) Case No.
)
vs.) 3:18-cv-07354-WHA
)
WELLS FARGO BANK, N.A.,)
)
Defendant.)

DEPOSITION OF PETER M. ROSS
LOS ANGELES, CALIFORNIA
THURSDAY, FEBRUARY 6, 2020

Job No. 3846633

Reported by:

RICKI Q. MELTON, RPR

CSR No. 9400

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ALSO PRESENT:

25

RICHARD FOSTER, Video Operator

1 Q Or multiple payments. 09:43:30
2 And as a result of that, they're going to 09:43:32
3 get a notice of delinquency; correct? 09:43:35
4 A Yes. In the -- in the -- that notice in 09:43:39
5 the industry is more often called notice of -- 09:43:44
6 notice of default, but yes. 09:43:49
7 Q Aren't there actually two notices that 09:43:51
8 would go to the borrower? The first one saying, 09:43:53
9 "Hey, we noticed you're behind. Contact us. We'd 09:43:55
10 like to help you get on track," before an actual 09:43:57
11 notice of default is filed? 09:44:00
12 A Yes. I would amplify there's usually 09:44:01
13 multiple such notices and perhaps verbal attempts 09:44:06
14 to contact the borrower. 09:44:08
15 Q Sure. 09:44:10
16 And so -- so I -- I call that a notice of 09:44:10
17 delinquency. I don't know if that's the industry 09:44:12
18 term you're familiar with, but what -- what would 09:44:14
19 you refer the letter to borrowers -- the initial 09:44:16
20 letter or letters to borrowers notifying them that 09:44:19
21 they're behind before notice of default is filed? 09:44:23
22 A Okay. I would call them delinquency 09:44:26
23 notices. 09:44:28
24 Q Okay. And -- and so we have a delinquency 09:44:28
25 notice -- one or more delinquency notices, and we 09:44:33

1 have notice of default that -- that you mentioned. 09:44:37
2 Are there other steps in the process that 09:44:40
3 need to be taken before a borrower's home is 09:44:43
4 foreclosed upon? 09:44:51
5 A There's the entire foreclosure process. 09:44:52
6 Is that what you're referring to? 09:44:55
7 Q Yeah. 09:44:56
8 I'd like to -- to break it down so the 09:44:57
9 jury has an understanding of what that process 09:44:59
10 looks like. 09:45:00
11 A Okay. There are two types of foreclosure 09:45:01
12 actions. One is called judicial because the court 09:45:04
13 is directly involved, and the other is called 09:45:07
14 nonjudicial because their actions are taken -- I 09:45:11
15 would use the term outside of the court but are 09:45:18
16 reviewed by the court. 09:45:21
17 Q Are you familiar, at least in general 09:45:24
18 terms -- I'm not going to ask you to recite the 09:45:39
19 terms specifically, but in general terms, with the 09:45:41
20 standardized form contract that the FHA uses? 09:45:44
21 A I've certainly read it a number of times. 09:45:48
22 Q Okay. And similarly, there's a 09:45:51
23 standardized form contract that -- that Fannie Mae, 09:45:52
24 Freddie Mac uses as well; correct? 09:45:55
25 A Yes, that is -- 09:45:57

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) ss.
3

4 I, RICKI Q. MELTON, C.S.R. No. 9400, in and for
5 the State of California, do hereby certify:

6 That prior to being examined, the witness named in
7 the foregoing deposition was by me duly sworn to testify
8 to the truth, the whole truth, and nothing but the truth;

9 That said deposition was taken down by me in
10 shorthand at the time and place therein named and
11 thereafter reduced to typewriting under my direction, and
12 the same is a true, correct, and complete transcript of
13 said proceedings;

14 That if the foregoing pertains to the original
15 transcript of a deposition in a Federal Case, before
16 completion of the proceedings, review of the transcript
17 { } was {X} was not required.

18 I further certify that I am not interested in the
19 event of this action.

20 Witness my hand this 19th day of
21 February, 2020.

22 
23

24 Certified Shorthand Reporter
25 for the State of California